

Report Date: February 3, 2009

United States District Court

for the

Eastern District of Washington

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
FEB 05 2009
JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

Name of Offender: Vaughn R. YellowWolf Case Number: 2:05CR00195-001
Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen
Date of Original Sentence: 9/11/2006 Type of Supervision: Supervised Release
Original Offense: Abusive Sexual Contact, 18 U.S.C. § 2244(a)(2), 2246(3), 1151&1153 Date Supervision Commenced: 2/12/2008
Original Sentence: Prison - 36 Months; TSR - 36 Months Date Supervision Expires: 2/11/2011

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 24 You shall reside in a residential reentry center (RRC) for a period of up to 90 days. You shall not be entitled to the benefits of the prerelease component. You shall abide by the rules and requirements of the facility. You shall remain at the facility until discharged by the Court.

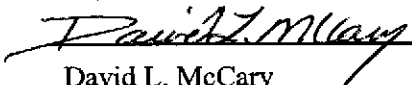
CAUSE

The defendant was enrolled in sex offender treatment with Riverview Counseling and Consulting on April 24, 2008. After missing several sessions, the provider entered into a written agreement with the defendant which noted all upcoming appointments beginning on October 1, 2008, and ending on July 14, 2009. The defendant was notified if he missed two appointments within a 90-day period he would be terminated.

On November 11, 2008, the defendant was terminated from treatment after missing two sessions within the 90-day period. From April 24, 2008, to November 11, 2008, the defendant missed approximately eight appointments with the provider.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 2/3/09


David L. McCary
U.S. Probation Officer

Prob 12B


Re: YellowWolf, Vaughn R.

February 3, 2009

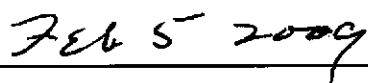
Page 2

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer



Date

United States District Court

Eastern District of Washington

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision


I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

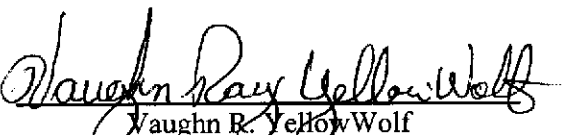
To modify the conditions of supervision as follows:

- 24 You shall reside in a residential reentry center (RRC) for a period of up to 90 days. You shall not be entitled to the benefits of the prerelease component. You shall abide by the rules and requirements of the facility. You shall remain at the facility until discharged by the Court.

Witness:


David L. McCarty
U.S. Probation Officer

Signed:


Vaughn R. Yellow Wolf
Probationer or Supervised Releasee

February 3, 2009

Date